

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

MA&UD Department – Praksam District – Kandukur Mandal and Town –
Transfer of 70 Acres of Land belonging to Kajdukur Municipality to
Revenue Department for distribution to eligible landless beneficiaries
approved – Orders – issued.

REVENUE (ASSIGNMENT-VI) DEPARTMENT

G.O.Ms.No.197

Dated:20-04-2013.
Read the following:-

1. G.O.Ms.No. 783, Revenue (LA) Department, dated: 9.10.1998.
2. From the Collector & District Magistrate, Prakasam District Lr.Rc.E1-2909-2010, dated:22.01.2011.
3. Govt. Memo No. 2671/J1/2011-1, dt. 5.2.2011 addressed to the C&DMA, A.P., Hyderabad.
4. From the CDMA, AP, Hyderabad Lr.Roc.No.2468/11/N2-1, dated 18.03.2011.
5. From the Collector, Prakasam Lr. Rc. No.G1/3303/2005, dt. 15.4.2011.
6. From the C&DMA, Hyderabad, Lr.Roc.No.2468/2011/N2, Dt.06.06.2011.
7. From the ENC (PH), Hyderabad Lr. No. 11497/T4/KDK (W)/2011, Dt.09.11.2011 addressed to C&DMA A.P., Hyderabad.
8. From the Spl., C.S and Chief Commissioner, LA, Hyderabad , Lr.No.SPL.B1/1146/2010, Dt.15.10.2011.
9. From the ENC(PH), Hyderabad, Lr.No.11437/T4/KDK (W)/2011, Dt.09.11.2011.

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ORDER:-

The Collector, Prakasam District in his letter second read above has reported that it was requested to examine the matter in detail and send a detailed report on transfer of balance land measuring an extent of Ac.70-00 situated in S.No.297/3 of Kandukur village and Mandal which is under possession of Public Health Department to Revenue Department for provision of house sites to the eligible beneficiaries.

2. The Tahasildar, Kandukur who examined the matter has reported that an extent of Ac.156.80 cents in Sy.No.297/3 belonging to Sri Janardhana Swamy Temple land was acquired in Award No.1/2009-2010, Dt.13.12.2009 by the Land Acquisition Officer & R.D.O, Kandukur for formation of Summer Storage Tank to provide drinking water to Kandukur Municipality. The Land compensation i.e., Rs.4,07,68,000/- was already paid to the Manager, Sri Skandhapuri Janardhana Swamy Temple, Kandukur and possession of the land was handed over to the Commissioner, Kandukur Municipality on 31.12.2009. Out of the total Ac.156-80 cents acquired, Summer storage tank was formed only in an extent of Ac.85-00 as per the revised estimates and the remaining Ac.70-00 is vacant under control of the Public Health Department, Kandukur and the said vacant land is suitable for provision of house sites to weaker section people in Kandukur Town.

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3. The Collector, Prakasam District further reported that house site pattas were granted to 497 beneficiaries @ 0.02 cents each under Indiramma 2nd Phase in Kandukur town as shown below:

Survey No.	Extent in Acs.	Classification	No. of pattas
733	Ac.5-85	Village site	119
740	Ac.6-40	A.W	201
729	Ac.4-10	A.W	177

4. He has further reported that land leveling and demarcation of 199 plots in S.No.733 is completed, but in respect of S.No.740 & 729 when the Housing Department officials are leveling the plots, some people belonging to Scheduled Caste raised objections stating that the land was purchased by them about 60 years back and also produced Xerox copy of the documents. In view of the above dispute, the housing programme in respect of the 378 plots in S.No.740 & 729 of Kandukur is pending under 2nd phase of Indiramma Programme. In the year 2007, the Collector has issued direction to all Urban Mandal Tahasildars to call for applications from the needy people who are having no houses. Nearly 5300 applications from the needy people not having houses were received in Kandukur Municipality for house site pattas. After enquiry of all the applications 820 applicants were found eligible for grant of house site pattas in Kandukur Town and ward wise eligible beneficiaries lists have been prepared but house site pattas were could not be granted so far for want of suitable vacant Government land.

5. Further the Collector, Prakasam has reported that 1557 applications have been received from people belonging to weaker section during Prajapatham 2010 in Kandukur Town for grant of house site pattas and there is no vacant Government land in Kandukur for providing alternative house site pattas to 378 beneficiaries pending in Indiramma 2nd Phase to the eligible weaker section beneficiaries who applied for house site pattas during 2007 and during Prajapatham 2010 in Kandukur town and no house site pattas granted in Kandukur since 2005. He has addressed the Deputy Executive Engineer, Public Health, Kandukur to examine the matter and submit his report on transfer of the land measuring Ac.70-00 in S.No.297/3 of Kandukur village Revenue Department for taking further action in the matter.

6. Earlier the Government Pleader in his letter Dated 11.04.2008 has informed the District Collector, Prakasam District that the Hon'ble High Court after hearing the said application today passed an order permitting the government to utilize the Endowment land provided by paying compensation as required under Land Acquisition Act as a condition precedent for construction of Summer Storage Tank in Kandukur. He has also stated that the department is now free to proceed with the construction of the Summer Storage Tank at Kandukur Town by paying compensation for the Endowment land which is now identified for construction of the said Tank.

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7. The Commissioner and Director of Municipal Administration who was consulted in the matter has stated that the Commissioner, Kandukur Municipality has informed that Government have allocated 156.80 acres of land to Kandukur Municipality in which the summer storage tank was constructed in the land to an extent of 86.80 acres and the same was informed by the Executive Engineer, Public Health Department. The Municipal Commissioner, Kandukur, has also informed that the Municipal Council in its CR.No.211, Dt.19.02.2011 has resolved to allocate the existing 70.00 Acs of land available with Kandukur Municipality for the following purposes and that the basic value of the proposed land per acre is Rs.18.00 lakhs situated in Survey No. 297/3 i.e., as per the Sub-Registrar report.

(i)	Construction of 220 KV Sub Station	...	12.00 Acs
(ii)	Providing Park	...	6. 00 Acs
(iii)	For public purpose	...	52.00 Acs

8. The Engineer in-Chief (Public Health) in his letter dated: 16.05.2011 has stated that, the irrigation authorities have informed that off-take sluice is proposed in the western bund with sill level +71.00 instead of originally proposed in southern bund with sill level of +75.00. Due to change of off-take sluice with +71.00 sill level there is more assured supply of raw water from Ramatheertham Balancing reservoir for 10 1/2 months at 9 months at 5.50 C/s and for the 1 1/2 months *45(days) 20 c/s. thus the non supply period is 45 days. Keeping in view more assured supply of raw water from Ramateertham Balancing reservoir the capacity of summer storage tank was economized and reduced the ultimate requirement for 60 days including buffer period if 15 days. Hence the requirement of land for construction of summer Storage tank was reduced. Further he has submitted that, as per the report of the Superintending Engineer (Public Health), Nellore, an extent of 86.80 acres has been utilized for construction of summer storage tank and 70.00 Acres of balance land is available and the available land may be required for further augmentation of Water Supply in future.

9. The Special Chief Secretary to Government and Chief Commissioner of Land Administration, A.P., Hyderabad who was consulted on the advise of Revenue department has vide his letter Dt.15.10.2011 requested to accord consent for transfer of the land from Kandukur Municipality to Revenue Department under BSO 22(8)(4) for the land measuring an extent of Acres.70.00 cts., in S.No.297/3 of Kandukur village of Prakasam District for providing houses to weaker section as one of the Government priority programme under Indiramma Scheme immediately.

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10. The Engineer-in-Chief (Public Health) in his further letter Dt.09.11.2011 has stated that the Superintending Engineer (Public Health), Nellore has informed that, an extent of 86.80 cent has been utilized for construction of summer storage tank and balance land of acres 70.00 is not required for water supply scheme and stated that there is no objection for utilizing the balance land for public purpose.

11. The Law Department has opined that the Government Pleader for MA&UD, High Court in his letter dated 11-4-2008 reported that the Hon'ble High Court in its interim orders in W.P.M.P. Nos. 24219/2007 and others in W.P.No. 10547/ 06 dated 11-04-2008 permitted the government to utilize the Endowment Land for construction of summer storage tank in Kandukur Municipality subject to payment of compensation under the provisions of the Land Acquisition Act, 1894. The Engineer-in Chief, public Health in his letter dated 16.05.2011 reported that the balance of land of Ac.70.00 available with the Municipality is required for further augmentation of water supply in future whereas, in his subsequent letter dated 09.11.2011 he has reported that the balance land is not required for water supply scheme. If the land is not required for the purpose of water supply scheme in future, there may be no objection to transfer the land to Revenue Department for the purpose of allotment of the same for house sites and also referred to the G.O.Ms.NO. 783, Revenue (LA) Department, dated 09.10.1998 which indicates that,

“The land Acquired for a public purpose under the Land Acquisition Act, 1894 shall be utilized for the same purpose for which it was acquired as far as possible. In case, the land is not required for the purpose for which it is acquired due to any reason, the land shall be utilized for any other public purpose, as deemed fit, including afforestation”.

12. In view of this the MA & UD Department was advised to process the file and take approval of Competent Authority as per Business Rules.

13. In view of the advise of the Law Department and request of the Special Chief Secretary to Government and Chief Commissioner of Land Administration, A.P., Hyderabad, on the subject of alienation of 70.00 acres of land belonging to Kandukur Municipality to APTRANSCO for construction of 220 KV Substation and Revenue Department, Government after careful examination hereby order for transfer of 70 Acres of land in Sy.No. 297/3 in Kandukur town belonging to Kandukur Municipality to Revenue Department.

14. The Collector & District Magistrate, Prakasam District, the C&DMA, Hyderabad, the Engineer-in-Chief (Public Health), Hyderabad and Municipal Commissioner, Kandukur Municipality shall take further necessary action accordingly duly following the procedure in vogue.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**B.R.MEENA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Spl.Chief Secretary & Chief Commissioner of Land Administration,
A.P, Hyderabad.
The District Collector, Prakasam District, Ongole,

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The Commissioner & Director of Municipal
Administration, Hyderabad.
The Engineer-in-Chief, (PH), Hyderabad
The Director of Town & Country Planning,
A.P, Hyderabad,
The Commissioner, Kandukur Municipality,
Prakasam District.

Copy to:

The MA & UD (J) Department,
The PS to M (MA&UD)
The PS to Prl. Secy to Government, (MA)
The PS to Prl. Secy to Government, (UD)
SF/SC

//forwarded :: by order//

SECTION OFFICER

